

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

C.P. NO. 75/1998
in
O.A. NO. 2765/1992

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New Delhi this the 7th day of December, 1998.

HON'BLE SHRI JUSTICE K. M. AGARWAL, CHAIRMAN

HON'BLE SHRI K. MUTHUKUMAR, MEMBER (A)

Amar Singh Chauhan
(3331/PCR-8116 PCR) Ex. Constable,
S/O Chhide Singh,
R/O Village & P.O. Korali,
Distt. Meerut (UP).

... Applicant

(By Shri Shyam Babu, Advocate)

-Versus-

1. Shri P. V. Jaikrishnan,
Chief Secretary,
Govt. of N.C.T. of Delhi,
5, Sham Nath Marg,
Delhi-110054.

2. Shri T. R. Kakkar,
Commissioner of Police,
Police Headquarters,
I.P. Estate,
New Delhi-110002.

... Respondents

(By Shri Vijay Pandita, Advocate)

O R D E R (ORAL)

Shri Justice K. M. Agarwal :-

This contempt petition has been filed for disobedience with the Tribunal's order dated 3.3.1997 in OA No. 2765/92. The direction was as follows :-

"7. In the result, this application succeeds and it is hereby allowed. The applicant shall be reinstated in service forthwith with consequential benefits. The appointing authority will be at liberty to take appropriate decision or action on the basis of which the impugned order was passed earlier by the Principal, Police Training School."

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2. It is not disputed that pursuant to the order aforesaid, the applicant was reinstated in service by Annexure-C. It is specifically stated in the order that the applicant is "reinstated in service with immediate effect with all consequential benefits." The learned counsel for the applicant concedes that the applicant received bonus and all other dues except the ration money. Accordingly, his grievance is that the order has not been fully complied with.

3. The learned counsel for the respondents submitted that there is a dispute in regard to entitlement of the Constables in general for ration money. The matter is pending in the High Court. Some have been paid ration money by now and others have not been paid so far.

4. The effect of the order made by the Tribunal in OA No. 2765/92 was for payment of all such consequential benefits which were undisputably payable to the applicant and persons like the applicant. There is no specific mention in the order for payment of ration money. Accordingly, for that reason, these proceedings cannot be kept pending. If the applicant considers himself entitled to the ration money also, he is at liberty to agitate the matter by filing a fresh OA in that regard.

5. Subject to the observations aforesaid, this contempt petition is hereby disposed of and rule nisi, if any, shall stand discharged.

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6. We may mention here also that the learned counsel for applicant submitted that there is no dispute pending. For this also, we are of the view that the only course open to the applicant is to file a fresh O.A., where the matter may be adjudicated upon after hearing both the sides, because the claim for ration money was not specifically granted by the Tribunal in its order dated 3.3.1997 in OA No. 2765/92.

7. Contempt Petition stands disposed of as aforesaid.

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(K. M. Agarwal)
Chairman

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(K. Muthukumar)
Member (A)

/as/